

SCHEDULE 12

FOOD TRUCK

1. In addition to the licensing requirements set out in section 4 of this By-law, an Applicant for a Food Truck Licence shall supply the following:
 - a) Fire Approval;
 - b) Health Approval;
 - c) Planning Approval, if located on private property;
 - d) Proof of Insurance; and
 - e) Copy of Driver's Licence(s) for all drivers of the Food Truck.
2. Every Food Truck Licensee shall:
 - a) have a Licence for each Food Truck;
 - b) provide a description of the food being served;
 - c) have a plan for the containment and disposal of grey water, grease, and garbage in a sanitary manner satisfactory to the City;
 - d) ensure that any commercial cooking equipment and use thereof complies with the requirements of the *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*;
 - e) provide the Manager of Licensing with the licence and serial number of the Food Truck;
 - f) maintain the Food Truck in good repair and appearance, and equip it with refuse container accessible to the customers;
 - g) keep the Licence posted in a conspicuous place in the Food Truck and make it available to any Officer upon inspection;
 - h) ensure that every Person selling from or operating the Food Truck wears clean clothes, is clean and neat in appearance, and maintains clean hands;
 - i) ensure that no damage is caused to City property as a result of the location of the Food Truck;
 - j) not use any loud speakers, amplifiers, hailing devices, or music players; and

- k) not impede the flow of pedestrian traffic or obscure clear visibility of normal approaching pedestrian or vehicular traffic.
3. Every Food Truck Licensee shall ensure that the Municipal Plate issued in respect of the Food Truck Licence is securely affixed to the rear of the Food Truck.
 4. Food Trucks shall be exempt from hourly parking limits on City Highways provided they are parked in a legal parking space, in compliance with City's parking By-laws, engaged in the operation of the Food Truck, and in compliance with this By-law.
 5. Food Trucks shall be permitted to operate at the following locations on a daily first-come, first served basis:
 - a) in designated locations in City parks as approved by the Manager of Maintenance and Operations (Parks, Forestry, Trails); and provided that no more than identified number of Food Trucks shall be permitted at any one point during the hours of 9:00 a.m. and 11:00 p.m.:
 - i. Budd Park – one (1) Food Truck permitted;
 - ii. Huron Natural Area – two (2) Food Trucks permitted;
 - iii. McLennan Park – two (2) Food Trucks permitted;
 - iv. Southwest Optimist Park – one (1) Food Truck permitted;
and
 - v. Victoria Park – one (1) Food Truck permitted.
 - b) with consent of Centre in the Square Inc., and a maximum of three (3) Food Trucks may operate on Centre in the Square property;
 - c) up to a maximum of three (3) Food Trucks may operate in the on-street 15-minute parking time limit area on Otto Street;
 - d) Notwithstanding section 5b) and 5c) above, at no point may the combined total of Food Trucks on Centre and Square property and Otto Street be greater than three unless a Special Event Licence has been obtained; and
 - e) in the parking lot municipally addressed as 20 Breithaupt Street, or in the on-street parking areas on Breithaupt Street, between Moore Avenue and Waterloo Street.
 6. Food Trucks shall only be operated within the DKBIA Boundary as follows:
 - a) at Carl Zehr Square, as programmed and organized by the City;
 - b) as part of City-approved festivals and events where the appropriate Licenses have been obtained;

- c) as part of a one-time promotional event between restaurant(s) and Food Truck(s), provided written consent is obtained from the restaurant owner/operator and approval is obtained from the Manager of Licensing in advance;
- d) as part of a plan to operate on a property on a consistent basis, as approved by the Manager of Downtown Community Development. The Manager of Downtown Community Development shall only approve plans which satisfy the following:
 - i. the plan is organized by either the City, Downtown Kitchener Business Improvement Area, a food truck operator, or a downtown restaurant owner;
 - ii. the organizer identifies the location, the days, and times food trucks would operate and the maximum number of food trucks who would be operating during said times;
 - iii. the food trucks will only operate on a weekly or monthly basis;
 - iv. the plan includes more than one participating food truck;
 - v. all participating Food Trucks are licensed by the City;
 - vi. the participating Food Trucks operate on a rotating basis;
 - vii. the proposed property does not front King Street;
 - viii. the location is satisfactory to the City's Director of Transportation Services and the Chief Building Official;
 - ix. the Owner of the property upon which the Food Trucks will operate has provided authorization;
 - x. the plan is endorsed by the Downtown Kitchener Business Improvement Area; and
 - xi. where the location resides on City Property, the organizer agrees to terminate the use of the property if the City determines the site in question has been damaged, litter or refuse has been left behind, or if the operation of any Food Trucks negatively interferes with the normal use and operation of the property; or
- e) where specifically permitted by a Food Truck Special Event Licence.

- 7. No Person shall permit any Food Truck to park overnight on City Property or private property after operating hours except on land owned, leased, or rented by the operator for the storage of the Food Truck and in compliance with the Zoning By-law.
- 8. No Person shall operate or permit to be operated a Food Truck at any Special Event, unless the Food Truck has been invited and has been named on the Special Event Licence.
- 9. No Food Truck Licensee shall operate, permit to be operated, or sell refreshments from any Food Truck:

- a) in an area zoned R1, R2, R3, R4, R5, R6, R7, R8, or R9 by the City Zoning By-law, as amended, except as permitted by a Special Event Licence, or as specifically permitted herein;
- b) in any area where a restaurant is not permitted by the Zoning By-law except as permitted by a Special Event Licence or specifically permitted herein;
- c) on private property without the written consent of the property owner which has been provided in advance and approved by the Manager of Licensing;
- d) except in the case of the Huron Business Park is within ten (10) metres from any building where a Food Shop is located, unless written consent from all Food Shop Licensees has been obtained and provided to the Manager of Licensing; or
- e) that is within 90 metres from the property line of any land occupied by any public, separate, or private school on any school day between the hours of 9:00 a.m. and 4:30 p.m. unless written consent from the property owner or principal of the school has been obtained and provided in advance to the Manager of Licensing.